

Business Item

Transportation Committee



Committee Meeting Date: August 8, 2022

For the Metropolitan Council: August 24, 2022

Business Item: 2022-208

METRO Gold Line Bus Rapid Transit – Amendment 1 to Subordinate Funding Agreement No. 19I034F with the City of Woodbury

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| District(s), Member(s): | District 12 (Gonzalez), District 11 (Vento), District 13 (Lee) |
| Policy/Legal Reference: | FM14-1 Procurement Policy |
| Staff Prepared/Presented: | Wes Kooistra, General Manager, 612-349-7510 Nick Thompson, Deputy General Manager, 612-349-7507 Alicia Vap, Acting Gold Line Project Director, 612-349-7079 Robin Cauffman, Director of Administration, Capital Projects, 651-602-1457 |
| Division/Department: | Metro Transit / METRO Gold Line Project Office |

Proposed Action

That the Metropolitan Council (“Council”) authorize the Regional Administrator to negotiate and execute Amendment #1 to Subordinate Funding Agreement #19I034F with the City of Woodbury (“the City”) for construction of non-project activities concurrent with the Gold Line Bus Rapid Transit Project (“the Gold Line”) in an amount not to exceed \$995,133.76.

Background

In 2020, the Council and the City entered into a Master Funding Agreement (#19I034) to establish a framework for interagency funding transfers.

The Council and the City executed SFA #19I034F on May 10, 2022, to transfer up to \$698,672.63 from the City to the Council for construction of three locally funded improvements known as Concurrent Non project Activities:

- Utility reconstruction including watermain replacement.
- Pavement rehabilitation project; and
- New multiuse trail.

SFA #19I034F laid out a process to amend the SFA should the bids come in higher than the engineers estimate; this amendment follows that process.

In June 2022, the Council opened the construction bids for the Gold Line BRT project. Once the lowest bidder had been determined to be responsible and responsive, the engineering team compiled the actual cost of the locally funded work for the City based on the construction bid tab, which was \$995,133.76. This information was shared with the City; they decided to proceed with the work even though the actual costs are higher. As a result, the Council needs to amend the agreement to reflect the updated costs.

With this amendment, SFA #19I034F transfers up to \$995,133.76 from the City to the Council for construction of locally funded work. This work will be delivered by the Gold Line's civil construction contractor as a concurrent non-project activity and is fully funded by the City independent from the base Gold Line. The SFA also provides funding from the City to cover the Council's construction management and inspection costs.

Rationale

Council Policy requires Interagency Agreements valued at greater than \$500,000 and amendments to Interagency Agreements that are more than 10% of the initial value be approved by the Council.

Executing this Amendment #1 to SFA #19I034F allows the City to have this work completed concurrent with the Gold Line which benefits Council and the City by realizing cost savings and avoiding the need to coordinate different contractors working in the same area. The Gold Line design and construction plans include the work to be funded under this SFA #19I034F, and the Council would incur additional costs to remove that scope if this amendment were not executed.

Thrive Lens Analysis

Investment in high-quality transportation options will advance the Thrive outcome of prosperity by making the region more economically competitive through increased workers' access to employment, and support to employers by increasing available workforce with affordable, convenient transportation.

The Gold Line advances the Equity outcome by distributing transit resources throughout the region and improving access to jobs, educational opportunities, and health services to diverse communities.

Funding

No impacts to the Gold Line budget. All funding under this agreement will be provided by the City.

Small Business Inclusion

Local work constructed for the City under SFA #19I034F is incorporated into the Gold Line civil construction contract and therefore part of the prime contractor's DBE commitment.

